



INVESTIGATIVE REPORT

Lori Torres, Inspector General

OFFICE: INDIANA SECRETARY OF STATE

TITLE: LIMITED ACCESS DEATH MASTER FILE ASSESSMENT FOR NATIONAL
TECHNICAL INFORMATION SERVICE

CASE ID: 2017-10-0243

DATE: March 16, 2018

Inspector General Lori Torres, after a review together with Special Agent Darrell Boehmer, reports as follows:

The usual mission of the Office of Inspector General (OIG) is to address fraud, waste, abuse and criminal or ethical wrongdoing in agencies. IC 4-2-7-2 and 3. The OIG also assists and aids other agencies as requested when aligned with its statutory role. IC 4-2-7-3(1).

On October 24, 2017, the OIG received a request from the Indiana Secretary of State's Director of Information Technology to certify its systems, facilities and procedures as compliant with 15 CFR Part 1110 so as to enable the Secretary of State (SoS) to access the Limited Access Death Master File (LADMF) data aggregated by the U.S. government. The LADMF data includes data that identifies U.S. residents who have died using federal Social Security Administration data. This information is useful to ensure the accuracy of the statewide voter registration system.

The National Technical Information Service (NTIS), an arm of the U.S. Department of Commerce, has created a set of administrative regulations that require an accrediting body to approve of the systems, facilities and procedures of the recipient entity so as to ensure the integrity of the data. State or local government users of the data can use a state auditor general or state inspector general as the accrediting/certifying body so long as the same review standards are met.

NTIS has created a certification form, known as NTIS Form 100B, which requires the signature of the state reviewer, in this case, the Inspector General. The Inspector General attests to the understanding of the

requirements of the LADMF Certification Program, largely articulated in its Publication 100, Information Security Guidelines for Use and Protection of Limited Access DMF Information. Those guidelines include instructions for restricting access to the LADMF data, proper disposal of LADMF data, information security control requirements, physical environment protection, system and communication protection, and the process for reporting improper use and disclosures, along with other guidelines.

The SoS process will compare data from the LADMF to the statewide voter registration system to identify potentially deceased individuals on the voter rolls. The voter registration records that are matched to data from the LADMF will then be shared with county voter registration officials who will confirm if the registered voter is in fact deceased.

State law, specifically IC 3-7-45-6.1, requires the SoS Election Division to obtain information, at least one time per month, regarding deceased voters from the Social Security Administration. The SoS Election Division then provides each county voter registration office with a report identifying the deceased individuals who are shown as residing in the county. The county voter registration office is then required to cancel the registration of each deceased person listed in the report, subject to limited exceptions.

Pursuant to IC 3-7-26.3-4(b), voter registration officials may use their data access only for official State of Indiana purposes. SoS technical resources are bound by agreements to use their data access for official State of Indiana purposes only.

The data transfer from the federal resource to the SoS and then from the SoS to the counties happens through a multi-pronged system using a Secure File Transfer Protocol (SFTP) site and an outside administrator. The attestation by the SoS of the process of transmitting and storing data represents that it will follow all applicable state and federal laws and will comply with National Institute of Standards and Technology (NIST) framework on data security. The SoS will not permit any data to be copied to or transported by removable media at any time, and the named system administrators will only access the data via secure networks (no public/open data connections). County officials who are users of the data have been trained by the third party administrator in the processing and protection of the LADMF data. The SoS has attested to the systems in place, including the protocols specified above.

In the past, SoS has used an outside entity to serve as the Certified Person to receive the LADMF data. As a non-governmental entity, the costs for accreditation were significant and were passed on to the SoS. By serving as its own Certified Person and using alternative certification procedures through the Inspector General, the SoS has generated taxpayer savings. The SoS can and has attested to the understanding and utilization of all required NTIS security provisions for the LADMF data.

Director of Investigations, Darrell Boehmer, assisted in the OIG assessment. The OIG completed an assessment of the SoS and found that the SoS has systems, facilities and procedures in place to safeguard LADMF information as required by 15 CFR 1110.102(a)(2). On January 22, 2018, the Inspector General executed the required NTIS certification form. Such certification is effective for three years. On March 16, 2018, the NTIS form was sent by email with the required NTIS invoice/order confirmation number (provided by the Indiana Secretary of State) to the NTIS for filing. Accordingly, the OIG is closing this matter.

Dated: March 16, 2018

APPROVED BY:

A handwritten signature in black ink that reads "Lori Torres". The signature is written in a cursive, flowing style.

Lori Torres, Inspector General